

EDUCATION, IRELAND.

The Irish Teachers Pension Rules, 1914, dated October 9, 1914, made by the Lord Lieutenant with the consent of the Treasury under section 11 of the National School Teachers (Ireland) Act, 1879 (42 & 43 Vict., c. 74).

Presented to both Houses of Parliament by Command of His Majesty.



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EDUCATION, IRELAND.

THE IRISH TEACHERS PENSION RULES, 1914, DATED OCTOBER 9, 1914, MADE BY THE LORD LIEUTENANT WITH THE CONSENT OF THE TREASURY UNDER SECTION 11 OF THE NATIONAL SCHOOL TEACHERS (IRELAND) ACT, 1879 (42 & 43 VICT., c. 74).

ARRANGEMENT OF RULES.

Application of Rules, &c.

Rule.

1. Effect, short title, and commencement of Rules.
2. Teachers to whom Rules apply.
3. Teachers to whom Rules do not apply.
4. Definitions of "salary" and "service."

Payment of Premiums.

5. Deductions on account of premiums for pensions.
6. Reduced premiums in certain cases.
7. Provisions as to deduction of premiums.
8. Application of sums paid over under Insurance Act.

Grant of Pensions.

9. Amount of pension.
 10. Conditions of grant of pension.
 11. Pension of teacher removed for inability.
 12. Provisions where teacher re-enters service.
 13. Provisions as to death, dismissal, &c.
 14. Notice of claim, &c.
 15. Proof of age, identity, &c.
 16. Reconsideration of pension.
- "Teachers' Contribution Account" and "Endowment Account."
17. Separate accounts to continue.

Special Provisions as to Existing Teachers.

18. Notice to be given to existing teachers.
19. Existing teachers to whom new Rules do not apply.
20. Benefits of existing teachers safeguarded.

Provisions as to Retired Teachers.

21. Manner in which retired teachers may benefit by Rules.

Payments on Death or Mental Incapacity.

22. Payment of sums on death.
23. Pensioner incapable of giving receipt.

General.

24. Information to be given to Superintendent.

SCHEDULE.

THE IRISH TEACHERS PENSION RULES, 1914.

Aberdeen.

We, John Campbell, Earl of Aberdeen, Lord Lieutenant-General and General Governor of Ireland, in exercise of the power given to Us by the National School Teachers (Ireland) Act, 1879, and of every other power Us thereunto enabling, do, with the consent of the Lords Commissioners of His Majesty's Treasury, make the following Rules.

Application of Rules, &c.

1.—(1) These Rules shall have effect under section eleven of the National School Teachers (Ireland) Act, 1879 (in these Rules called "the Act"), in substitution for those contained in the schedule to that Act, and for any other Rules (in these Rules called "the superseded Rules") made under that section and in force at the date when these Rules come into operation.

Effect, short title, and commencement of Rules.
42 & 43 Vict. c. 74.

(2) Except as expressly provided in these Rules the superseded Rules are hereby revoked.

(3) These Rules may be cited as the Irish Teachers Pension Rules, 1914, and shall, save as otherwise expressly provided, come into operation on the first day of October nineteen hundred and fourteen (which date is in these Rules called "the date of commencement").

(4) The Interpretation Act, 1889, shall apply to these Rules in the same way as it applies to an Act of Parliament.

2.—(1) Subject to the provisions of these Rules they shall apply to all classed teachers, including teachers in the service at the date of commencement (in these Rules called "existing teachers") and teachers who retired on or after the first day of April nineteen hundred, and before the date of commencement, under conditions entitling them to pensions under the superseded Rules (in these Rules called "retired teachers").

52 & 53 Vict. c. 63.

Teachers to whom Rules apply.

(2) A teacher who is temporarily out of the service at the date of commencement may, with the consent of the Superintendent of the Teachers' Pension Office (in these Rules called "the Superintendent"), be treated as an existing teacher, and he shall be deemed to be an existing teacher for the purpose of these Rules accordingly.

3. These Rules shall not apply to existing teachers who were in the service at the time of the passing of the Act, and did not exercise their right of election to take advantage of the Act, nor to existing teachers who give notice in the manner provided in these Rules of their desire that these Rules shall not apply to them.

Teachers to whom Rules do not apply

4. For the purposes of these Rules:—

The expression "salary" means the remuneration received by a teacher from the Commissioners of Education out of moneys provided by Parliament for duty in a national school, other than fees for Evening School instruction and the value of the teacher's residence;

Definitions of "salary" and "service."

The expression "service" means the period for which the teacher has been in receipt of salary after attaining the age of eighteen years, and the expression "serve" shall be construed accordingly.

Service by a teacher in any of the naval or military forces of the Crown in the present war shall be reckoned as service for the purposes of these Rules, and a teacher while so serving shall be deemed for the purposes of these Rules to be actually serving as a teacher; and the Commissioners of Education may reckon as a period of service for the purposes of these Rules any period during which a teacher, though not actually serving in such manner as aforesaid, is, as a result of such service, prevented or hindered from procuring work as a teacher owing to injury, illness, or any other cause.

Payment of Premiums.

Deductions
on account
of premiums
for pensions.

5.—(1) There shall be deducted in each year in successive periods of five years from the first day of January nineteen hundred and fifteen from the salaries of teachers, as premiums towards the provision of pensions, a sum equal to the following proportion of the average salaries, of all teachers in the grade in which the teacher is serving, during the year ending the thirty-first day of March in the year preceding the period in question:—

First grade, first division ...	Five per cent.
First grade, second division ...	Four and one half per cent.
Second grade	Four per cent.
Third grade... ..	Three and one half per cent.

Provided that if in any year in such a period the average salary of a grade is found to be not less than ten per cent. higher than the average salary so taken as a basis the premiums shall be revised and calculated on the basis of the actual average salary.

(2) All premiums under these Rules which are not an exact multiple of four in pence shall be calculated to the next larger multiple of four.

(3) For the period of five years next from the first day of January nineteen hundred and fifteen the average salaries upon which the premiums shall be calculated (being the average salaries for the year ending the thirty-first day of March nineteen hundred and fourteen) and the premiums payable accordingly shall be taken to be those set out in the schedule to these Rules, subject to revision in any year as provided in the last preceding subsection.

(4) Save as aforesaid the average salaries for any year ending the thirty-first day of March shall be calculated for the purposes of these Rules by dividing the total amount of salaries (taken at the annual rate) paid by the Commissioners of Education to the teachers of a grade in that year by the total number of teachers serving in that grade.

(5) For the purposes of these Rules the first division of the first grade and the second division of the first grade shall be regarded as separate grades, and the male and female teachers of any grade shall be regarded as belonging to separate grades.

(6) This and the next two succeeding Rules shall come into force on the first day of January nineteen hundred and fifteen and until that date the provisions of the superseded Rules relating to the payment of premiums shall continue in force.

6. If a teacher proves to the satisfaction of the Superintendent that he is of the age of thirty or upwards and that his salary in the preceding year ending the thirty-first day of December did not exceed, in the case of a male teacher the annual rate of eighty pounds, and in the case of a female teacher the annual rate of sixty-five pounds, the deduction to be made from the salary shall be reduced to an amount equal to one-half of the premiums which would otherwise be payable under these Rules:

Redwood
premiums in
certain cases.

Provided that no reduction of premium shall be made in any year under this Rule unless the teacher gives notice to the Superintendent of his claim to be entitled to such reduction within one month of the date on which the salary for the quarter ending the thirty-first day of December was paid.

7.—(1) Deductions on account of premiums under these Rules shall be made by deducting from any sum payable to a teacher on account of his quarterly or other salary a quarter or other proportionate part, as the case may be, of the annual premium appropriate to the grade in which the teacher was serving at the end of the quarter or other period for which the salary is paid.

Provisions
as to deduc-
tion of
premiums.

(2) A premium shall not become due until the end of the quarter or other period for which the salary is payable out of which the deduction on account of premium is to be made.

(3) No sum shall be deducted on account of premiums in respect of any period for which the teacher was not in receipt of salary, but where the service terminates before the end of the quarter or other period for which the salary is payable, or begins after the commencement of the quarter or other period, the premium shall be reduced proportionately.

8. Where there is placed to the credit of any teacher in the Pension Fund a sum paid to the Superintendent under section fifty-two of the National Insurance Act, 1911, as modified by subsection (17) of section eighty-one of that Act, that sum shall be carried to the Teachers' Contribution Account, and until it is exhausted applied in payments on account of premiums in respect of that teacher instead of the deductions which would be made from his salary under these Rules.

Application
of sums paid
over under
Insurance
Act.
1 & 2 Geo. 5.
c. 55.

Grant of Pensions.

9.—(1) The pension to be granted to a teacher on retiring from the service shall be at the rate of one-eightieth of his average annual salary for the three years ending the thirty-first day of March next before his retirement in respect of each completed year of his service, but no pension under these Rules shall be

Amount of
pension.

less than thirteen pounds a year nor more than forty-eightieths of such average annual salary.

(2) All pensions granted under these Rules which are not an exact multiple of four in pence shall be calculated to the next larger multiple of four.

10. No pension shall be granted to a teacher under these Rules unless he has served for not less than ten years, and—

- (a) has attained the age of sixty, or has attained the age of fifty-five and has served for not less than thirty-five years; or
- (b) the Commissioners of Education and the Treasury are satisfied that while actually serving as a teacher he has become incapable from infirmity of mind or body of discharging the duties of a teacher and that such incapacity is likely to be permanent; or
- (c) having attained the age of fifty he is removed from the service by the Commissioners of Education on the ground of his inability to discharge those duties efficiently, and the Treasury consider the circumstances of the case justify the grant of a pension.

11. A pension granted under these Rules to any teacher who has become incapable from any infirmity of mind or body of discharging the duties of a teacher, or who has been removed from the service by the Commissioners of Education on the ground of his inability to discharge those duties efficiently, shall be less by so much as the Treasury think fit than the amount provided by Rule nine, if such infirmity or inability has been wholly or in part caused by his own misconduct or default.

12.—(1) Where a teacher after having retired from the service with a pension re-enters the service his pension shall cease, and his service prior to retirement shall be reckoned as service for benefits under these Rules.

(2) Where a teacher after having been dismissed or having retired from the service without a pension re-enters the service, he may within such period as the Superintendent may prescribe pay to the Pension Fund with compound interest at the rate of two and a half per cent. per annum any sum repaid to him out of that fund on account of premiums, and his service prior to dismissal or retirement shall in that case be reckoned as service for the purpose of benefit under these Rules:

Provided that if an existing teacher to whom these Rules apply does not so pay such sum and interest as aforesaid, he shall be regarded, for the purposes of these Rules, as joining the service for the first time and Rule twenty of these Rules shall not apply to him.

(3) The Superintendent may allow any payment to the Pension Fund under the last preceding subsection to be made by deduction from salary, of such amount and spread over such number of years and subject to such conditions as he may determine.

13.—(1) Where a teacher dies in the service the amount of all premiums paid by him shall be repaid out of the Pension Fund to his legal personal representative with compound interest thereon at the rate of two and a half per cent. per annum.

Conditions
of grant of
pension.

Pension of
teacher
removed for
inability.

Provisions
where
teacher re-
enters
service.

Provisions as
to death,
dismissal, &c.

(2) Where a teacher who has become entitled to a pension at any date from and after the date of commencement dies after he has retired from the service, and the amount received by him by way of pension is less than the amount which would have been repaid if he had died at the date of his retirement, the amount of the difference shall be paid out of the Pension Fund to his legal personal representative.

(3) Where a teacher after having retired from the service with a pension re-enters the service and dies while serving, the amount of premiums payable to his legal representatives shall be reduced by the amount the teacher has received as pension.

(4) Where a teacher is dismissed from the service or retires from the service in circumstances in which a pension cannot be granted to him, all premiums paid by him shall be repaid to him out of the Pension Fund.

14.—(1) Where a teacher on leaving the service claims a pension, notice of his claim must be given to the Superintendent within one year of the date on which he leaves the service, but if the teacher is of unsound mind or otherwise unable, in the opinion of the Superintendent, to make the claim himself, notice of the claim may be given by any other person on his behalf.

Notice of
claim, &c.

(2) If such notice is not given, the teacher shall forfeit his right to pension, but if he would, but for the failure to give notice, have been entitled to receive a pension, he shall be entitled to the repayment out of the Pension Fund of the amount of premiums paid by him, with compound interest at the rate of two and a half per cent. per annum.

The Superintendent may extend the time within which notice of claim for a pension may be given, provided that in his opinion reasonable cause has been shown for the omission to give notice.

(3) Pensions shall accrue from day to day, but any sum due on account of a pension shall not be payable until the quarter day following the date on which it becomes due, unless in the case of the death of a teacher to whom a sum is so due earlier payment is authorised by the Superintendent.

The quarter days for the purpose of this Rule shall be the thirtieth day of June, the thirtieth day of September, the thirty-first day of December, and the thirty-first day of March in each year.

15.—(1) The Superintendent may at any time require a teacher to give proof of his age to the Superintendent's satisfaction, and, if the teacher has applied for a pension on the ground of infirmity of body or mind, to furnish such medical evidence, and to submit to such medical examination, as the Treasury may direct.

Proof of age,
identity, &c.

(2) The Superintendent may, before any sum is paid out of the Pension Fund, require proof to his satisfaction of the identity of the person who claims payment of the sum, and, before any sum is paid on account of any pension, may require proof to his satisfaction of the existence of the pensioner.

16.—(1) Where a pension has been granted under these Rules to a teacher who has not attained the age of fifty it shall, until he has attained that age, be reconsidered at such intervals as the Treasury may direct, and the Treasury may suspend or determine

Reconsideration of
pension.

the pension if they are satisfied that the teacher is no longer incapable from infirmity of body or mind of discharging the duties of a teacher.

(2) For the purpose of the reconsideration of a pension under this Rule the teacher shall furnish to the Superintendent such medical evidence and shall submit to such medical examination as the Treasury may require, and if the requirements of this Rule are not complied with, the Treasury may suspend or determine the pension as they think fit.

"Teachers' Contribution Account" and "Endowment Account."

Separate
accounts to
continue.

17.—(1) The separate accounts of the Pension Fund called the Teachers' Contribution Account and the Endowment Account shall continue to be kept.

(2) All sums paid into the Pension Fund on account of deductions from teachers' salaries for premiums and the interest thereon shall, together with such other sums as the Treasury direct, be carried to the Teachers' Contribution Account, and all other sums paid into the Pension Fund shall be carried to the Endowment Account.

(3) One quarter of any pension granted under these Rules shall be charged to the Teachers' Contribution Account, and the remainder of any pension shall be charged to the Endowment Account.

(4) All sums repaid out of the Pension Fund on account of the repayment of premiums and of interest thereon, shall be charged to the Teachers' Contribution Account.

Special Provisions as to Existing Teachers.

Notice to be
given to
existing
teachers.

18. The Superintendent shall, as soon as possible after these Rules are made, cause a circular to be sent to every existing teacher pointing out the effect of the provisions of these Rules as to existing teachers; and if a teacher desires that these Rules shall not apply to him, he shall give notice of his desire to the Superintendent within two months after the date of the circular, or such extended period as the Superintendent may allow, having regard to the special circumstances of any case.

Existing
teachers to
whom new
Rules do not
apply.

19. These Rules shall not apply to a teacher who gives notice in manner provided by the last preceding Rule, and he shall be entitled to pay the same premiums and to receive the same pension and otherwise shall be in the same position as if these Rules had not been made, and his pension shall be charged to the Teachers' Contribution Account and the Endowment Account in the manner provided by the superseded Rules:

Provided that where the pension of such a teacher or its amount depends upon the completion of a given period of service, the provisions of Rule four of these Rules (relating to naval and military service), shall apply in the computation of service for the purposes of such a pension.

Benefits of
existing
teachers
safeguarded

20.—(1) If the pension which may be granted under these Rules to an existing teacher to whom these Rules apply is less than the pension which he would have been entitled to receive if these Rules had not been made, he shall be granted a pension equal to the greater amount.

(2) In the case of an existing teacher to whom subsection (4) of Rule nineteen of the superseded rules dated the twenty-second day of November, 1897, applies, and who but for these Rules would have been entitled to elect to pay premiums according to the Table marked E. in the Second Part of the first Schedule to those superseded Rules, the pension to which he would have been entitled if these Rules had not been made, shall be deemed to be the pension provided by the superseded Rules for the first division of the first class.

Provisions as to Retired Teachers.

21. If the pension granted under the superseded Rules to a retired teacher is less than the pension calculated in accordance with the scale provided by these Rules upon his length of service and his average annual salary during his last three years of service, he shall be granted a pension on the scale provided by these Rules, in lieu of the pension granted to him under the superseded Rules, and such pension shall accrue from the date of commencement:

Manner in which retired teachers may benefit by Rules.

Provided that where a retired teacher was granted a disablement pension with repayment of premiums under Rule ten of the superseded Rules dated the twenty-second day of November, 1897, and the supplementary Rule to those Rules, his pension under this Rule shall be reduced by an amount equal to one-third of his disablement pension; and where such a teacher elected to receive a capital sum in lieu of the disablement pension, his pension under this Rule shall in addition to the above reduction be reduced by an amount equal to the disablement pension.

Payments on Death or Mental Incapacity.

22. Where on the death of a teacher any sum is due to his estate on account of any pension or repayment of premiums under these Rules, the Superintendent may, if probate or other proof of the title of the legal personal representative of the teacher is not produced to him pay the sum due to, or distribute it amongst, the persons appearing to him to be beneficially entitled to the personal estate of the teacher; and the Superintendent shall be discharged from any liability in respect of such payment or distribution.

Payment of sums on death.

23. Where the Superintendent is satisfied by the certificate of a minister of religion and of a duly-qualified medical practitioner that a teacher in receipt of a pension under these Rules is of unsound mind or otherwise incapable of giving a receipt, the Superintendent may pay any sum due on account of any such pension partly to the institution or person having care of the teacher and partly for the benefit of the wife, husband, or relatives of the teacher in such proportion and in such manner as he thinks fit; and the Superintendent shall be discharged from any liability in respect of any sums so paid.

Pensioner incapable of giving receipt.

General.

24. The Commissioners of Education shall give the Superintendent information of the promotion of any teacher from one grade to another and the date of the promotion, and of the

Information to be given to Superintendent.

number of years served by a teacher who claims a pension and the amount of his average annual salary for the three years ending the thirty-first of March next before his retirement, and generally such other information as he requires for the purpose of carrying these Rules into effect.

We, being two of the Lords Commissioners of His Majesty's Treasury, hereby signify Our consent to the enactment of the above Rules.

William Jones,

Wedgwood Benn.

Treasury Chambers,
9 October, 1914.

Schedule.

SCALE OF PREMIUMS FOR PERIOD 1915-19.

Grade.	Average Salary, 1913-14.	Rate of Premium.	Premium.
<i>Men:—</i>	<i>£ s. d.</i>	<i>Per cent.</i>	<i>£ s. d.</i>
I., Division 1	192 1 10	5	9 12 4
I., Division 2	149 14 0	4½	6 15 0
II.	120 3 5	4	4 16 4
III.	84 4 8	3½	2 19 0
<i>Women:—</i>			
I., Division 1	158 6 9	5	7 18 8
I., Division 2	125 19 2	4½	5 13 8
II.	102 7 8	4	4 2 0
III.	69 10 7	3½	2 9 0